HUTSON PROPERTY COMBINED WITH HAHN PROPERTY PUD

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 – LAND USE CONTROLS

This is a Planned Unit Development District Ordinance (to be known as Hutson Property combined with Hahn Property) to amend the Westfield-Washington Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 *et seq.*, as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Petition X), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map;

WHEREAS, the Commission forwarded Petition X to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (X-X) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 367-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on XXXX XX, 2015; and,

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended as follows:

Section 1.   Applicability of Ordinance.

1.1 This PUD District Ordinance (this "Ordinance") applies to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate") and shall hereafter be referred to as the "**HUTSON PROPERTY COMBINED WITH HAHN PROPERTY PUD**".

1.2 The provisions of the Zoning Ordinance as amended shall govern development of the Real Estate unless specifically modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance shall be superseded by the terms of this Ordinance.

1.3 The underlying zoning district for **Lot 1** shall be the **MF3 – Multi-Family High Density District**. The underlying zoning district for **Lot 2** shall be **GB – General Business District**. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District shall apply.

1.4 Chapter ("Chapter") and Article ("Article") cross-reference of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.

Section 2.   **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

2.1 Site Concept Design Plan: The plan attached hereto and incorporated herein by reference as **Exhibit B**. Exhibit B is a general plan for the development of the Real Estate.

2.2   Phase 1 Lot 1 is graphically depicted in **Exhibit B.**

2.3   Phase 2 Lot 2 is graphically depicted in **Exhibit B**.

2.4 Illustrative Character Exhibit: A general representation of the possible architecture and character for the proposed development of the Real Estate attached hereto as **Exhibit C**.

2.5 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 4 of this Ordinance.

Section 3.   **Permitted Uses.**

3.1   Lot 1– All uses permitted in the Underlying Zoning District for **MF3** shall be permitted in Lot 1, except for the following:

  A.   Utilities – Regulated by IURC

3.2 Lot 2 – All uses permitted in the Underlying Zoning District for **GB** shall be permitted in Lot 2. In addition, the following are also permitted:

  A.   Multi-family dwellings pursuant to the standards set forth herein are also allowed.

  B.   Family Entertainment Center that will include bowling, laser tag, arcade, full service restaurant and bar, and other attractions.

  C.   Mixed use Commercial office and retail space

Section 4. General Regulations. The regulations of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply except as otherwise modified below.

4.1   Article 4. (XX) MF3: Multi-Family High Density District

  A.   Maximum Density: Thirty Plus (30+) Dwelling Units per acre.

B. <u>Maximum Dwelling Units per structure</u>: 30 per three story building.

If one building concept is used up to 300 units

C. <u>Maximum Number of Dwelling Units:</u> Three Hundred (300) per project or district (e.g. Development Plan).

D. <u>Minimum Building Setback Lines:</u> Front Yard: 0'

E. <u>Maximum Building Height:</u> 120feet

Section 5.   **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development in Lot 1 and Lot 2, except as otherwise modified or enhanced by this Ordinance.

5.1   <u>Article 6.3 Architectural Standards</u> shall apply. In addition, the following shall also apply.

A. <u>Site Concept Design Plan</u>   Site shall be developed in substantial compliance with **Exhibit B**.

B. <u>Character and Quality</u>   Representative Character and quality of buildings are illustrated in **Exhibit C**.

5.2   <u>Article 6.14 Parking and Loading Standards</u> shall apply, except as otherwise modified below.

A. <u>Required Spaces for Multi-family Dwellings:</u>   1.5 spaces per Dwelling Unit

Section 6.   **Design Standards.** The regulations of Chapter 8: Design Standards shall apply to the development in Lot 1 and Lot 2, except as otherwise modified below.

6.1   <u>Article 8.6 Open Space and Amenity Standards</u> shall apply, except as otherwise modified below.

A. <u>Minimum Open Space:</u>   Minimum Open Space required to be 15%.

B. <u>Development Amenities:</u> The following amenities shall be required as generally illustrated on the Site Concept Design Plan:

(i)   Clubhouse

(ii)   Fitness Center in Clubhouse

(iii)   Pool at Clubhouse

(iv)   Business Center in Clubhouse

(v)   Grilling Cabana at Clubhouse

(vi)   Dog Park at Clubhouse

(vii)   Trail Access to Monon and Midland Trace Trails

(viii) Unique Bicycle Storage Units on Ground Level

(ix)   Business incubator space in commercial building

(x)   Meeting room space up to 10,000 SF

(xi)   Catering facility

(xii)

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2015.

**WESTFIELD COMMON COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For	Voting Against	Abstain
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
Steven Hoover	Steven Hoover	Steven Hoover
_____	_____	_____
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
_____	_____	_____
Chuck Lehman	Chuck Lehman	Chuck Lehman
_____	_____	_____
Bob Smith	Bob Smith	Bob Smith
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric
_____	_____	_____
Robert W. Stokes	Robert W. Stokes	Robert W. Stokes

ATTEST:

_____
Cindy J. Gossard, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Adam H. Horkay

This Instrument prepared by: Adam H. Horkay
                                 EdgeRock Development, LLC.
                                 733 E. State Road 32, Westfield IN 46074

I hereby certify **ORDINANCE XX – XX** was delivered to the Mayor of Westfield on the _____ day of _____, 2015.

Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE XX – XX this _____ day of _____, 2015.

I hereby VETO ORDINANCE XX – XX this _____ day of _____, 2015.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

_____

_____
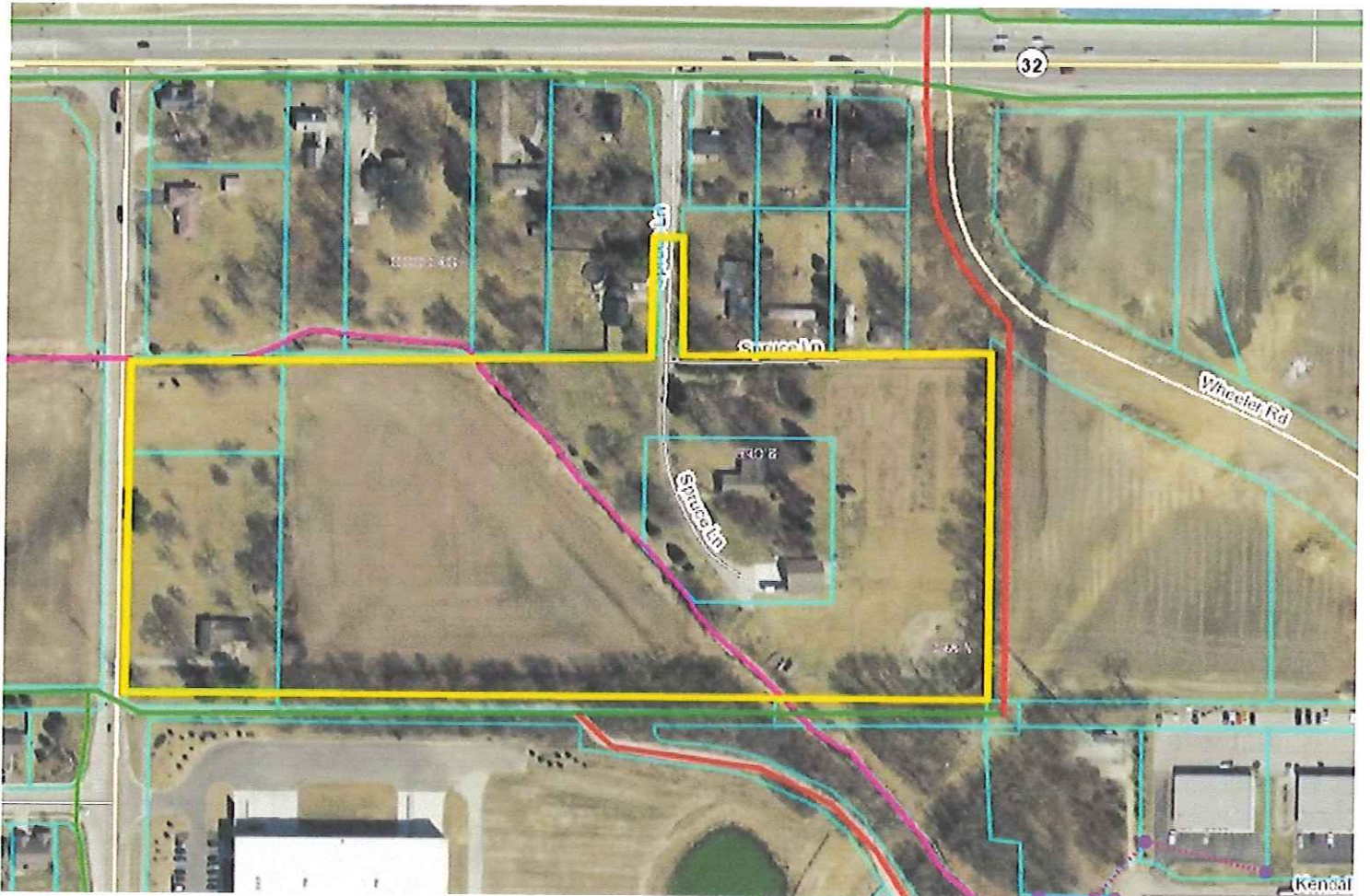
Cindy J. Gossard, Clerk Treasurer

Hutson Property Combined with Hahn Property

EXHIBIT B

(See Site Plans Provided)

EXHIBIT C

(See EdgeRock Development, LLC: Hutson Property Combined with Hahn Property PowerPoint Printout)